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OFFICE OF PETITIONS

**FREESCALE SEMICONDUCTOR, INC.
LAW DEPARTMENT
7700 WEST PARMER LANE MD:TX32/PL02
AUSTIN TX 78729**

In re Application of	:	
BOGARD	:	
Application No. 09/705,105	:	DECISION ON PETITION
Filed: November 2, 2000	:	
Attorney Docket No. SIG000053	:	

This is a decision on the petition under the unintentional provisions of 37 CFR 1.137(b), filed November 19, 2008, to revive the above-identified application.

The petition is **GRANTED**.

The application became abandoned for failure to timely pay the issue fee on or before September 15, 2008, as required by the Notice of Allowance and Fee(s) Due (Notice), mailed June 13, 2008, which set a statutory period for reply of three (3) months. Accordingly, the application became abandoned on September 16, 2008.

The petition satisfies the requirements of 37 CFR 1.137(b) in that petitioner has supplied (1) the reply in the form of payment of the issue fee of \$1510; (2) the petition fee of \$1620; and (3) a statement of unintentional delay.

It is not apparent whether the person signing the statement of unintentional delay was in a position to have firsthand or direct knowledge of the facts and circumstances of the delay at issue. Nevertheless, such statement is being treated as having been made as the result of a reasonable inquiry into the facts and circumstances of such delay. See 37 CFR 10.18(b) and Changes to Patent Practice and Procedure; Final Rule Notice, 62 Fed. Reg. 53131, 53178 (October 10, 1997), 1203 Off. Gaz. Pat. Office 63, 103 (October 21, 1997). In the event that such an inquiry has not been made, petitioner must make such an inquiry. If such inquiry results in the discovery that it is not correct that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 CFR 1.137(b) was unintentional, petitioner must notify the Office.

The publication fee of \$300 filed with the petition on November 19, 2008, is acknowledged, however, was not required by the Notice mailed June 13, 2008. This fee is unnecessary and will be credited to petitioner's Deposit Account No. 50-3079.

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-6735.

The application is being referred to the Office of Data Management for processing into a patent.

/Diane C. Goodwyn/
Diane C. Goodwyn
Petitions Examiner
Office of Petitions